

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:16-cr-00236-LRH-GWF

Plaintiff,

ORDER

v.

CHARLES ELMER ROUSH,

Defendant.

Before the court is defendant CHARLES ELMER ROUSH's ("Roush") Emergency Motion for Order Reducing Sentence or Modifying Judgment under 18 U.S.C. § 3582(c)(1)(A)(i) and Authorizing Any Remaining Portion of His Sentence to be Served on Home Confinement (ECF No. 74). Also before the court is the government's Response to Defendant's Emergency Motion etc. (ECF No. 76).

In the government's response it informs the court that given Mr. Roush's advanced age and medical condition, and the fact that he has served a large majority of the sentence this court imposed (the Bureau of Prisons projects defendant's release date as December 8, 2020), the government does not oppose defendant's request. The government further informs the court that Mr. Roush submitted his request for compassionate release with the warden more than 30 days ago, on May 21, and therefore the court may consider his motion.

The court has reviewed the motion, its exhibits, and the response filed in this matter. This includes the defendant's medical records, criminal history and presentence

1 investigation report. Roush is 82 years old and suffers from medical conditions and
2 appears to be at-risk of serious illness from COVID-19 in prison. He has approximately
3 six months remaining on a 60-month sentence upon a conviction for failure to register
4 as a sex offender under SORNA. Additionally, after his release from prison, Roush will
5 begin a lifetime term of supervised release.

6 Good cause appearing, IT IS HEREBY ORDERED that defendant's Emergency
7 Motion for Order Reducing Sentence or Modifying Judgment under 18 U.S.C.
8 § 3582(c)(1)(A)(i) (ECF No. 74) is GRANTED.

9 IT IS FURTHER ORDERED that the court reduces Roush's 60-month sentence
10 to TIME-SERVED, making Roush eligible for release.

11 IT IS FURTHER ORDERED that upon release from imprisonment Roush shall be
12 on lifetime supervised release and shall be subject to the conditions of supervision
13 previously imposed by the sentencing court and SORNA.

14 IT IS FURTHER ORDERED that Roush be quarantined for a 14-day period and
15 for medical clearance, consistent with BOP policy, before his release takes effect to
16 minimize the possibility of the spread of any COVID-19 from the defendant to the public.

17 IT IS FURTHER ORDERED that Roush shall report to the parole and probation
18 department office in the district to which he is released within 72 hours of his release
19 from custody.

20
21 IT IS SO ORDERED.

22 DATED this 30th day of June, 2020.

23 
24 LARRY R. HICKS
25 UNITED STATES DISTRICT JUDGE
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